

SEP 09 2004

BRUCE TITTEL
DONALD F. FREI
DAVID J. JOSEPHIC
DAVID S. STALLARD
J. ROBERT CHAMBERS
GREGORY J. LUNN
KURT L. GROSSMAN
CLEMENT H. LUKEN, JR.
THOMAS J. BURGER
GREGORY F. AHRENS
WAYNE L. JACOBS
KURT A. SUMME
KEVIN G. ROONEY
KEITH R. HAUPT
THEODORE R. REMAKLUS
THOMAS W. HUMPHREY
SCOTT A. STINEBRUNER
DAVID H. BRINKMAN
BEVERLY A. LYMAN, Ph.D.

WOOD, HERRON & EVANS, L.L.P.

2700 Carew Tower
441 Vine Street
Cincinnati, Ohio 45202-2917
TELEPHONE: (513) 241-2324
FACSIMILE (513) 421-7269
WEBSITE: www.whepatent.com

PATENT, TRADEMARK, COPYRIGHT
AND UNFAIR COMPETITION LAW
AND RELATED LITIGATION

EDMUND P. WOOD 1923-1968
TRUMAN A. HERRON 1935-1976
EDWARD B. EVANS 1936-1971

JOSEPH R. JORDAN
C. RICHARD EBY
DAVID E. PRITCHARD

J. DWIGHT POFFENBERGER, JR.
KATHRYN E. SMITH
KRISTI L. DAVIDSON
P. ANDREW BLATT, Ph.D.
DAVID E. JEFFERIES
WILLIAM R. ALLEN, Ph.D.
JOHN PAUL DAVIS
DOUGLAS A. SCHOLER
BRETT A. SCHATZ
DAVID W. DORTON
SARAH OTTE GRABER
WESLEY L. STRICKLAND*
STEVEN W. BENINTENDI, Ph.D.
RANDALL S. JACKSON, JR.

*ADMITTED ONLY IN D.C. AND VA

FACSIMILE COVER SHEET

OF COUNSEL
JOHN D. POFFENBERGER
THOMAS W. FLYNN

If transmission is interrupted or of poor quality, please
notify us immediately by calling 513/241-2324.
Ask for sender's secretary.

TO: Commissioner for PatentsFax No: 703/872-9306Pages (including cover page): 3Date: September 9, 2004FROM: Keith R. Haupt, Esq.
Reg. No. 37,638Re: This fax includes: Clarification; Authorization to Charge Deposit Account
23-3000

Serial No.: 10/820,317
Filed: April 8, 2004
Group Art Unit: 3751
Applicant: Rodger P. Grantham

Title: CONTROL OF A/L RATIOS IN VACUUM
ASSIST VAPOR RECOVERY DISPENSERS
Conf. No.: 8515
Our Ref.: VSTI-10U

CERTIFICATE OF FACSIMILE TRANSMISSION

I hereby certify that this paper is being facsimile transmitted to the
Commissioner for Patents, Art Unit 3751 at facsimile telephone
number (703) 872-9306 on September 9, 2004.

Lisa L. Tucker

Date

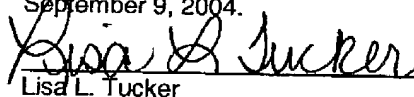
The Information in this facsimile message is
ATTORNEY-CLIENT PRIVILEGED, WORK PRODUCT and/or CONFIDENTIAL
INFORMATION intended only for the use of the individual or entity to whom this fax is addressed.
If the reader of this message is not the intended recipient or the employee or agent responsible for delivering
it to the intended recipient, you are hereby notified that any dissemination, distribution or reproduction of this
communication is strictly prohibited. If you have received this communication in error, please immediately
notify us by telephone and return the original message to us at the above address via United States Postal
Service. Thank you.

SEP 09 2004

PATENT

CERTIFICATE OF FACSIMILE TRANSMISSION

I hereby certify that this paper is being facsimile transmitted to the Commissioner for Patents, Examining Group 3751 at facsimile telephone number (703) 872-9306 on September 9, 2004.


Lisa L. Tucker9/9/04
Date

Serial No.: 10/820,317
Filed: April 8, 2004
Art Unit: 3751
Examiner: UNKNOWN
Applicant: Rodger P. Grantham
Title: CONTROL OF A/L RATIOS IN VACUUM ASSIST VAPOR RECOVERY DISPENSERS
Conf. No.: 8515

Cincinnati, Ohio 45202

September 9, 2004

Mail Stop Amendment
Commissioner of Patents
P.O. Box 1450
Alexandria, VA 22313-1450

CLARIFICATION

Sir:

Upon filing the above-identified application, Applicant erroneously claimed small entity status although paid the filing fee for large entity. In response to the Notice of Missing Parts, Applicant also paid \$130, the fee for large entity. Subsequently, the USPTO credited Applicant's attorneys' deposit account \$65, presumably because of the discrepancy regarding the large and small entity status for Applicant in this application.

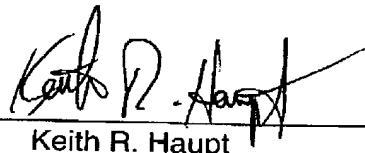
Applicant hereby notifies the USPTO that large entity status is proper for this application and apologizes for any confusion in that regard. To date, Applicant has paid large entity fees for this application and will continue to do so. The USPTO is hereby

Appl. No. 10/820,317

authorized to charge Applicant's attorneys' Deposit Account No. 23-3000 \$65, the amount previously and incorrectly credited to the Deposit Account as above described. Please contact the undersigned attorney with any questions regarding this matter.

Respectfully submitted,

WOOD, HERRON & EVANS, L.L.P.

By 
Keith R. Haupt
Reg. 37,638

2700 Carew Tower
Cincinnati, Ohio 45202
(513) 241-2324
FAX (513) 421-7269
khaupt@whepatent.com (email)
K:\WSTR\10U\clarification.wpd